

REMARKS

The last Office Action dated July 26, 2004 has been carefully considered. The Applicant's representative conducted a telephone interview with the Examiner on Oct. 7, 2004. Accordingly, the remarks made herein constitute the Applicant's summary to said interview. Claim 2 has been amended incorporating the examiners thoughtful suggestions, which are appreciated by the applicant.

In response to the examiner's objection to claim 2, this issue should be resolved with the amendment of claim 2.

The Examiner's objection to the drawings is noted. As agreed with the examiner in the telephone interview of Oct. 7, 2004, the instant revision to claim 2, to eliminate the reference to "a horizontal wall" and a "vertical bottom", is sufficient to remove this ground of rejection. The corrected terms of "vertical wall" and "horizontal bottom" while not explicitly indicated in FIG.1, are clearly inherent portions of the Ceramic Beverage Mug 2, shown in FIG.2, having adequate support in the specification.

It is noted that **Claim 1** has been canceled in view of the remarks contained in a prior response.

It is noted that **Claims 2-4, 6-8** are rejected under 35 U.S.C. §102(e) as being anticipated by Pariseau (U.S. 6,579,006)

It is further noted that **Claims 1 and 5** are rejected under 35 U.S.C. §103(a) as being unpatentable over Pariseau.

Pariseau was filed on Aug. 25, 2000, and issued on June 17, 2003. The Applicant's patent was filed on January 25, 2001, less than a year before the filing date of Pariseau.

Further, as supported by the attached Declaration under Rule 131, the Applicant's invention, as claimed in claims 2-8, was made prior to Aug. 25, 2000.

Accordingly, any rejections that apply Pariseau as a reference based on any section of 35 U.S.C. § 102 and 35 U.S.C. § 103 are no longer tenable. Therefore, the Applicant respectfully requests that the objections and rejections to claims 2-8 be withdrawn, and the application be passed to issue.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully asked that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. Alternatively should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned.

Respectfully submitted:

By:  on 10/13/2004

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